

Appl. No. 09/597,796

PATENT

Amdt. dated February 10, 2006

Response to Notice of Allowance on November 18, 2005,
and the Patent Office's Response to Request for Corrected
Filing Receipt mailed on January 10, 2006,

REMARKS

On January 4, 2006, Applicants submitted an Amendment after Allowance Under 37 CFR § 1.312(a), requesting correction of the priority information. The Patent Office has denied the claim for priority of Application No. 60/158,338, filed on October 7, 1999 and of Application No. 60/158,425, filed on October 7, 1999. Attached are the filing receipts for these two applications. A copy of the filing receipt for the instant application is also attached.

The reason given by the Office for the denial of these priority claims is that "A claim for priority cannot be made based on an application filed after the application making the claim." (*emphasis added*) However, as seen on the attached filing receipts, the claimed priority applications were filed on **October 7, 1999**. The instant application was filed on **June 20, 2000**. Applicants respectfully submit that the making of the priority claims to the 60/158,338 and 60/158,425 applications is correct, since the claimed priority applications were filed before the instant application, *i.e.*, the application making the claim of priority. Accordingly, Applicants respectfully request the entering of the amendments herein and the issuance of a Corrected Filing Receipt.

Applicants also attach hereto a Request for Corrected Filing Receipt, and a Supplemental Application Data Sheet.

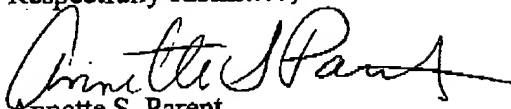
Appl. No. 09/597,796
Amdt. dated February 10, 2006
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and the Patent Office's Response to Request for Corrected
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PATENT

CONCLUSION

Entry of this amendment is respectfully urged since it merely cures formal defects
in the specification and does not touch the merits.

Respectfully submitted,


Annette S. Parent
Reg. No. 42,058

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Attachments
ASP:mrV
60700028 v1

PTO-103P
(Rev. 8-98)PROVISIONAL APPLICATION
FILING RECEIPT

01458-00830005
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
AS Paren +

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
60/158,338	10/07/99		\$150.00	014058-00830	11		

020350

TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO CA 94111-3834

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Provisional Application Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate). This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s)

RAYMOND L. HOUGHTON, BOTHELL, WA; YASIR SKEIKY, SEATTLE, WA; PATRICIA D. MCNEILL, DES MOINES, WA; DAVIN C. DILLON, REDMOND, WA; MIKE J. LODES, SEATTLE, WA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 10/22/99

TITLE

FUSION PROTEINS OF MYCOBACTERIUM TUBERCULOSIS ANTIGENS AND METHODS OF THEIR USE

TOWNSEND & TOWNSEND
& CREW

99 OCT 28 AM 9:49

RECEIVED

DATA ENTRY BY: YON, LOWUAN

TEAM: 05 DATE: 10/22/99

PTO-103P
(Rev. 6-99)PROVISIONAL APPLICATION
FILING RECEIPT

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

014058-00 84006
AS Patent

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
60/158,425	10/07/99		\$150.00	014058-00840	27		

020350
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Applicant(s) STEVE G. REED, BELLEVUE, WA; YASIR SKEIKY, SEATTLE, WA.

TITLE
FUSION PROTEINS OF MYCOBACTERIUM TUBERCULOSIS ANTIGENS AND METHODS OF
THEIR USE

TOWNSEND & TOWNSEND
& CREW

99 OCT 25 AM 9:55

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DATA ENTRY BY: YON, LOWUAN

TEAM: 05 DATE: 10/21/99



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/597,796	06/20/2000	1845	1009	014058-009050US	4	54	4

20350

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SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 6269

✓ CORRECTED FILING RECEIPT



OC000000017808897

Date Mailed: 01/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yasir Skeiky, Seattle, WA;
Steven Reed, Bellevue, WA;
Mark Alderson, Bainbridge Island, WA;

Power of Attorney: The patent practitioners associated with Customer Number 20350.

Domestic Priority data as claimed by applicant

This application is a CIP of 09/287,849 04/07/1999 PAT 6,627,198
which is a CIP of 09/223,040 12/30/1998 PAT 6,544,522
which is a CIP of 09/056,556 04/07/1998 PAT 6,350,456

Foreign Applications

UNITED STATES OF AMERICA PCT/US99/07717 04/07/1999

If Required, Foreign Filing License Granted: 08/11/2000

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US09/597,796**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

FEB 10 2006

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office,
Fax No. 1-571-273-8300 on 2-10-2006

PATENT
Attorney Docket No.: 014058-009050US

TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vanecko

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yasir Skeiky et al.

Application No.: 09/597,796

Filed: June 20, 2000

For: Fusion Proteins of Mycobacterium
Tuberculosis

Examiner: Rodney P. Swartz

Art Unit: 1645

REQUEST FOR CORRECTED FILING
RECEIPT

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants respectfully request correction of the official filing receipt issued in
the subject application, as well as correction of the continuity data on PAIR.

There is an error on the official Filing Receipt received from the Patent and
Trademark Office in the above-noted application for which issuance of a further corrected filing
receipt is respectfully requested. Priority information is missing from the "Domestic Priority
data as claimed by applicant" section. This section, in its entirety, should read as follows:

-- This application is a CIP of 09/287,849 04/07/1999
which is a CIP of 09/223,040 12/30/1998
which is a CIP of 09/056,556 04/07/1998
and claims benefit of 60/158,338 10/07/1999
and claims benefit of 60/158,425 10/07/1999. --

Yasir Skeiky et al.
Application No.: 09/597,796
Page 2

PATENT

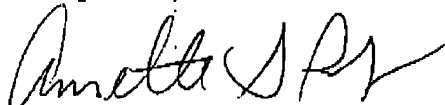
Also, the priority information indicated at the "Foreign Priority" section is still incorrect. This section should contain the World Intellectual Property Organization, instead of the United States of America, and should read as follows:

--World Intellectual Property Organization PCT/US99/07717 04/07/1999.--

Attached hereto is a copy of the official Corrected Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a further corrected filing receipt is respectfully requested. The requested corrections have been noted in red ink. Also attached hereto is a Supplemental Application Data Sheet containing the above-described information.

These corrections are not due to any error by Applicants and it is believed no fee is due. Please charge any additional fees or credit overpayment to Deposit Account No. 20-1430.

Respectfully submitted,


Annette S. Parent
Reg. No. 42,058

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60700824 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL. NO.	FILING OR 371 (c) DATE	ART UNIT	FILE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLMS	IND CLMS
09/597,796	06/20/2000	1645	1009	014058-009050US	4	54	4

20350

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CONFIRMATION NO. 6269

✓ CORRECTED FILING RECEIPT



0000000017808897

Date Mailed: 01/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yasir Skeiky, Seattle, WA;
 Steven Reed, Bellevue, WA;
 Mark Alderson, Bainbridge Island, WA;

Power of Attorney: The patent practitioners associated with Customer Number 20350.

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 which is a CIP of 09/223,040 12/30/1998 PAT 6,544,522
 which is a CIP of 09/056,556 04/07/1998 PAT 6,350,456
 and claims benefit of 60/158,338 10/07/1999
 and claims benefit of 60/158,425 10/07/1999.

Foreign Applications

~~UNITED STATES OF AMERICA~~ PCT/US99/07717 04/07/1999
 WORLD INTELLECTUAL PROPERTY ORGANIZATION

If Required, Foreign Filing License Granted: 08/11/2000

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US09/597,796**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

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Supplemental Application Data Sheet**Application Information**

Application number::	09/597,796
Filing Date::	06/20/00
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	1645
CD-ROM or CD-R??::	
Number of CD disks::	
Number of copies of CDs::	
Sequence Submission::	Paper
Computer Readable Form (CRF)?::	Yes
Number of copies of CRF::	1
Title::	FUSION PROTEINS OF MYCOBACTERIUM TUBERCULOSIS
Attorney Docket Number::	014058-009050US
Request for Early Publication::	No
Request for Non-Publication::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	4
Small Entity?::	No
Latin name::	
Variety denomination name::	
Petition included?::	No
Petition Type::	
Licensed US Govt. Agency::	
Contract or Grant Numbers One::	
Secrecy Order in Parent Appl.::	No

Page 1

09/597,796 6/20/00—Supplemental 2/10/06

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Canada
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Applicant Authority Type:: Inventor
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Middle Name::
Family Name:: Reed
Name Suffix::
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State or Province of Residence:: WA
Country of Residence:: US
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State or Province of mailing address:: WA

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Family Name:: Alderson
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State or Province of Residence:: WA
Country of Residence:: US
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City of Mailing Address:: Bainbridge Island
State or Province of mailing address:: WA
Country of mailing address:: US
Postal or Zip Code of mailing address:: 98116

Correspondence Information

Correspondence Customer Number:: 20350

Representative Information

Representative Customer Number:: 20350

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	An Appn claiming benefit under 35 USC 119(e) of	60/158,338	10/07/99
This Application	An Appn claiming benefit under 35 USC 119(e) of	60/158,425	10/01/99
This Application	Continuation-in-part of	09/287,849	04/07/99
09/287,849	Continuation-in-part of	09/223,040	12/30/98
09/223,040	Continuation-in-part of	09/056,556	04/07/98

Foreign Priority Information

Country::	Application number::	Filing Date::
WO	PCT/US99/07717	04/07/99

Assignee Information

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State or Province of mailing address::	Washington
Country of mailing address::	US
Postal or Zip Code of mailing address::	98101

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